

# UNITED STATES

<b>PATENT APPLICATION</b> <b>DECLARATION AND POWER OF ATTORNEY – ORIGINAL APPLICATION</b>	<b>ATTORNEY'S DOCKET NO.</b> 204,797
--	---

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled

(1) TITLE OF  
INVENTION

(1) METHOD OF OFFERING FREE PRODUCTS OR SERVICES OVER THE INTERNET

the specification of which

(2) CHECK  
APPROPRIATE  
BOX

(2) ☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 CFR 1.56(a): the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and as to applications for patents or inventor's certificate on the invention filed in any country foreign to the United States prior to this application by me or my legal representatives or assigns.

(3) CHECK  
APPROPRIATE  
BOX

(3) ☐ no such applications have been filed, or

☐ such application(s) have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION				
Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 USC 119
U.S.A.	60/204,801	MAY 16, 2000		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION				

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(5) COMPLETE  
DATA INDICATED  
IF APPLICABLE

(5) \_\_\_\_\_  
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)

(5) \_\_\_\_\_  
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)

Power of Attorney: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Jeffrey A. Schwab, Registration Number 24,490  
 Thomas E. Spath, Registration Number 25,928  
 Jay S. Cinamon, Registration Number 24,156

Michael I. Markowitz, Registration Number 30,659  
 Howard R. Jaeger, Registration Number 31,376  
 Anthony Coppola, Registration Number 41,493

Send correspondence to:  
 ABELMAN, FRAYNE & SCHWAB  
 150 East 42<sup>nd</sup> Street  
 New York, New York 10017-5612

Direct telephone calls to:  
 Jeffrey A. Schwab, Thomas E. Spath,  
 Jay S. Cinamon, Michael I. Markowitz,  
 Howard R. Jaeger or Anthony Coppola at (212) 949-9022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(6) DETAILS  
 REQUIRED  
 FOR EACH  
 INVENTOR

Full Name of Sole or First Inventor Jean-Francois MOYERSON	Inventor's Signature	Date
Residence 31, Avenue Princesse Grace, MC-98000 Monaco		Citizenship Monaco
Post Office Address Same as above		
Full Name of Second Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Third Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Fourth Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Fifth Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Sixth Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MOYERSON  
SERIAL NO.: N/A EXAMINER:  
FILED: May 16, 2000 GROUP NO.:  
FOR (TITLE): METHOD OF OFFERING FREE PRODUCTS OR  
SERVICES OVER THE INTERNET

**VERIFIED STATEMENT AS SMALL ENTITY**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

SIR:

The undersigned declare(s):

Exclusive rights in the above-identified invention reside in the "small entity" defined and named below, and "small entity" fees are appropriate. Qualification as a small entity is based upon the following:

☒ **INDEPENDENT INVENTOR**

An independent inventor is any inventor who:

- 1) has not assigned, granted, conveyed, or licensed, and
- 2) is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not likewise be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a non-profit organization as defined in Rule 1.9.

☐ **SMALL BUSINESS CONCERN**

A small business concern is defined as a business concern:

- 1) whose number of employees, including those of its affiliates, does not exceed 500 persons, and
- 2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization as defined in Rule 1.9. Concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.

☐ NONPROFIT ORGANIZATION  
A nonprofit organization is defined as:

(Check additional applicable box)

- ☐ 1) a university or other institution of higher education located in any country; or
- ☐ 2) a organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. 501(c)(3)) and exempt from taxation under Section 501(a) of the Internal Revenue Code (26 U.S.C. 501(a)); or
- ☐ 3) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of the United States (35 U.S.C. 201(i)); or
- ☐ 4) any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under paragraphs (e)(2) or (3) of Rule 1.9 if it were located in the United States.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jean-Francois MOYERSON

(Print or type name of small entity)

\*

(Signature and title of person authorized to act on behalf of small entity)

27 May 2000  
(Date)

31, Avenue Princesse Grace

(Address)

MC- 98000 MONACO

\* If "small entity" is more than one inventor or a combination of "small entities", add name(s), address(es) and signature(s) of other parties below. Please include date.

Full Name of Second Joint Inventor, If Any	Inventor's Signature	Date
Residence	Citizenship	
Post Office Address		
Full Name of Third Joint Inventor, If Any	Inventor's Signature	Date
Residence	Citizenship	
Post Office Address		
Full Name of Fourth Joint Inventor, If Any	Inventor's Signature	Date
Residence	Citizenship	
Post Office Address		